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2-21

Steven F. Goldstein

Dr F Galt

February 5, 2003

24353

09/509,196

8868

March 23, 2000

DALY, ROGER JOHN

CHERNYSHEV, OLGA N.

1646

RICE-012

RECEIVED

FEB 19 2003

TECH CENTER 1600/29

OIPE  
 FEB 12 2003  
 PATENT & TRADE MARK OFFICE

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner dated, November 5, 2002 finally rejecting claims 1, 5-7 and 19-31.

\$ 320.00

Therefore, the fee shown above is reduced by  $\frac{1}{2}$ , and the resulting fee is: \$

☐ A petition for an extension of time under 37 C.F.R. § 1.136(a) from \_\_\_\_\_ is requested.

The total extension fee is:

**Total amount to be charged to Deposit Account 50-0815:**

\$ 160.00

The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this sheet is enclosed.

I am the:



applicant/inventor

7

assignee of record of the entire interest.

See 37CFR 3.71. Statement under 37 C.F.R. § 3.73(b) is enclosed.

☒

attorney or agent of record

☐

attorney or agent acting under 37 CFR 1.34(a)

Registration number if acting under 37 C.F.R. § 1.34(a).

1. 75:216. 60.00 04

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

By:

Carol L. Francis, Reg. No. 36,513

Date: February 5, 2003

**BOZICEVIC, FIELD & FRANCIS LLP**  
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FEB 12 2003

Please type a plus sign (+) inside this box →



PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	09/509,196	
	Filing Date	March 23, 2000	
	First Named Inventor	DALY, ROGER JOHN	
	Group Art Unit	1646	
	Examiner Name	CHERNYSHEV, OLGA N.	
Total Number of Pages in This Submission	4	Attorney Docket Number	RICE-012

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Postcard</b>
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	CAROL L. FRANCIS, Reg. No. 36,513
Signature	
Date	February 5, 2003

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: February 5, 2003.		
Typed or printed name	Steven F. Goldstein	
Signature		Date February 5, 2003

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

FEB 12 2003

PTO/SB/17 (10-01)

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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 160

## Complete if Known

Application Number 09/509,196

Filing Date March 23, 2000

First Named Inventor DALY, ROGER JOHN

Examiner Name CHERNYSHEV, OLGA N.

Group Art Unit 1646

Attorney Docket No. RICE-012

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit overpayments to:

Deposit Account Number 50-0815

Deposit Account Name Bozicevic, Field &amp; Francis LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☒ Applicant Claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

## 2. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
101	740	201 370 Utility filing fee	
106	330	206 165 Design filing fee	
107	510	207 255 Plant filing fee	
108	740	208 370 Reissue filing fee	
114	160	214 80 Provisional filing fee	

SUBTOTAL (1) 0

## 1. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
15-20**	=	x	=
Indep. Claims 2-3**	=	x	=
Multiple Dependent	=	=	=

Large Entity Fee Code	Small Entity Fee Code	Fee Description
103	18 203 9	Claims in excess of 20
102	84 202 42	Independent claims in excess of 3
104	280 204 140	Multiple dependent claim, if not paid
109	84 209 42	** Reissue independent claims over original patent
110	18 210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0

\*\*or number previously paid, if greater; For Reissues, see above.

## FEE CALCULATION (continued)

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
105	130 205 65	Surcharge - late filing fee or oath	
127	50 227 25	Surcharge - late provisional filing fee or cover sheet	
139	130 139 130	Non-English specification	
147	2,520 147 2,520	For filing a request for <i>ex parte</i> reexamination	
112	920* 112 920*	Requesting publication of SIR prior to Examination action	
113	1,840* 113 1,840*	Requesting publication of SIR after Examiner action	
115	110 215 55	Extension for reply within first month	
116	400 216 200	Extension for reply within second month	
117	920 217 460	Extension for reply within third month	
118	1,440 218 720	Extension for reply within fourth month	
128	1,960 228 980	Extension for reply within fifth month	
119	320 219 160	Notice of Appeal	160
120	320 220 160	Filing a brief in support of an appeal	
121	280 221 140	Request for oral hearing	
138	1,510 138 1,510	Petition to institute a public use proceeding	
140	110 240 55	Petition to revive - unavoidable	
141	1,280 241 640	Petition to revive - unintentional	
142	1,280 242 640	Utility issue fee (or reissue)	
143	460 243 230	Design issue fee	
144	620 244 310	Plant issue fee	
122	130 122 130	Petitions to the Commissioner	
123	50 123 50	Processing fee under 37 CFR 1.17(q)	
126	180 126 180	Submission of Information Disclosure Stmt	
581	40 581 40	Recording each patent assignment per property (times number of properties)	
146	740 246 370	For each additional invention to be examined (37 CFR § 1.129(a))	
149	740 249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740 279 370	Request for Continued Examination (RCE)	
169	900 169 900	Request for expedited examination of a design application	


Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 160

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Carol L. Francis	Registration No. (Attorney/Agent)	36,513	Telephone	(650) 327-3400
Signature		Date	02/05/2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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